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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/810,609	03/19/2001	Kunihiro Yamada	108841	8805

25944 7590 09/13/2004

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EXAMINER

NGUYEN, KIMBINH T

ART UNIT	PAPER NUMBER
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2671

DATE MAILED: 09/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/810,609	Applicant(s) YAMADA ET AL.	
	Examiner Kimbhinh T. Nguyen	Art Unit 2671	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 16 July 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 March 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                        | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This action is responsive to communication filed 07/16/2004.
2. Claims 1-17 are pending in the application.

#### *Drawings*

3. The drawings filed on 03/19/2001 are acceptable subject to correction of the informalities indicated on the attached "Notice of Draftsperson's Patent Drawing Review," PTO-948. In order to avoid abandonment of this application, correction is required in reply to the Office action. The correction will not be held in abeyance.

#### *Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3, 6-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yokota (6,587,787).

**Claim 1**, Yokota discloses storing polygon map data (col. 4, lines 39-42); drawing a polygon map by reading the polygon map data from the memory (col. 1, lines 19-21); displaying an output from the drawing processing (displays a map on a display screen by using detailed map information (see abstract); col. 1, lines 22-25), wherein the drawing is equipped with a function (the values of the variables; col. 10, lines 56-57) for determining a unit of a polygon map (a map image) that should be drawn and draws a

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polygon map of the determined unit (a predetermined portion of the map image; col. 1, lines 22-35) to distinguish between unit levels (display map information at a plurality of scale, or zoom, levels, use distinct colors to display distinct areas; see abstract; col. 1, lines 31-43; col. 6, lines 45-60). It is noted that creating a map display from the map data (area polygon table 110) according to the values of the variables taught by Yokota (col. 10, lines 56-67) corresponding to the feature of the drawing is equipped with a function for determining a unit of a polygon map that should be drawn and draws a polygon map of the determined unit to distinguish between unit levels, because for instance, one map display might be a small-scale map with cities depicted as larger or smaller dots, with all geographic areas displayed monochromatically and names in uppercase Roman, while another display might be a large scale map with the network of all road types, with each geographic area having a color distinct from those of its neighbors and names in mixed case plain Italic text floating above or below the roads. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the map display taught by Yokota for displaying an output, because using information field contained in the area polygon table, it would improve efficiency of data retrieval for display; col. 5, lines 58-59).

**Claims 2 and 14**, Yokota discloses reading polygon map data within the predetermined range (predetermined portion of the map image), including the range of display, display patterns of adjoining polygon maps which are drawn different from each other (col. 1, lines 18-43).

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**Claims 3 and 15**, Yokota discloses determining a vehicle present position or a cursor present position and only polygon map data, including the detected present position is read from memory and drawn (col. 1, lines 19-35).

**Claims 6 and 7**, Yokota teaches display storing polygon map data on the basis of each polygon unit (storing information in the map data: geographic areas display unit and roads display unit; col. 13, lines 21-23) and drawing a polygon map corresponding with a display scale input by reading the polygon map data (col. 10, lines 56-67).

**Claim 13**, Yokota discloses drawing a polygon map that included in the range of display and of the largest unit (table 3, col. 9, lines 8-32).

**Claims 8-12**, the rationale provided in the rejection of claims 2-6 are incorporated herein.

**Claim 16**, the rationale provide in the rejection of claim 1 is incorporated herein. In addition, Yokota discloses a computer readable memory medium (the CD ROM, DVD, a hard disk; col. 4, lines 34-35; computer software on the microprocessor. Default values for variables are stored in the memory, the variable including map scale, display a small-scale or large scale map; desired color usage, use distinct colors to display distinct areas; col. 6, lines 45-60; col. 10, lines 55-67).

**Claim 17**, the rationale provide in the rejection of claim 1 is incorporated herein. In addition, Yokota discloses storing polygon map data (storing information in the map database, such information comprising: geographic areas and roads; col. 13, lines 21-23); displaying a polygon map by reading the stored polygon map data, determining a unit of a polygon map (a unit of polygon could be a first display layer from the map

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database (roads) or a second display layer (geographic areas; col. 13, lines 27-31) that should be displayed and displaying a polygon map of the determined unit to distinguish between unit levels (a distinct visual style for the name of each type geographic area).

6. Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yokota (6,587,787) in view of Ando (5,925,091).

**Claims 4 and 5**, Yokota does not teach a different number of coordinates in a one to one correspondence with display scales; however, Ando discloses a different number of coordinates (the ranges of the longitude and latitude coordinates of one unit map data; col. 4, lines 26-30) in a one to one correspondence with display scales for a corresponding polygon unit and reads the polygon map data corresponding to the input display scale and draws a polygon map (col. 4, lines 26-54); the number of coordinates in the polygon map data becomes smaller as the area becomes larger (col. 2, lines 43-46; col. 4, lines 55-62). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the coordinate display scale taught by Ando into polygon display map of Yokota for displaying an output, because, it would provide a method and apparatus for drawing a map in which the scale of a display map is reduced (abstract).

#### ***Response to Arguments***

7. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

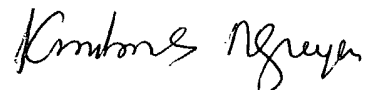
The rejection of claims 1-17 have been modified in this Office Action (see the Office Action).

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September 10, 2004

A handwritten signature in black ink, appearing to read "Kimbinh Nguyen". The signature is fluid and cursive, with the first name "Kimbinh" and the last name "Nguyen" clearly distinguishable.

Kimbinh Nguyen

Patent Examiner AU 2671